REMARKS

By this response, applicants respectfully request reconsideration of claims 1, 11-12 and 14. Currently, claims 1, 11-12 and 14 are pending in the application.

Claims 1, 11 and 12 were rejected under 35 USC 103(a) as being obvious over Komori et al. (U.S. Patent No. 6,046,937) in view of Yoshino et al. (U.S. Patent Application Publication No. 2002-0083282) and Shibazaki et al. (U.S. Patent Application Publication No. 2001/0014933. Also, claim 14 was rejected under 35 USC 103(a) as being obvious over Komori et al. in view of Shibazaki et al. and further in view of Yoshino et al.

These rejections are respectfully traversed in view of the amendments to the claims and the remarks below.

The present invention relates to a readable and writable recording medium, and a data processing apparatus and data processing method for processing data stored in the recording medium (see page 1, lines 8-11 of the specification).

In Fig. 1, a recording medium 100 includes a host interface part 110, a controller 120, a nonvolatile recording area 130, an update notification part 140 and a medium ID holder 150 (see page 8, paragraph [0012] of the specification).

When data in any part of the nonvolatile recording area 130 can be written or erased, the update information is updated by the controller 120 and update notification part 140 holds the value. The update information may be held in a part of the nonvolatile recording area 130 (see page 9, paragraph [0014]).

Independent claim 1 recites "an update notification part for updating update information of the time of writing or erasing of data to said nonvolatile recording area and holding said update information in said nonvolatile recording area". Also, independent claim 1 recites that the "update information in said update notification part is updated only immediately before data of said nonvolatile recording area is first updated after initialization processing of said recording medium conducted at a time when the recording medium is inserted into the data processing apparatus".

Also, independent claim 14 recites the steps of "making possible for update information in said update notification part in said nonvolatile recording area to be read from said data processing apparatus and impossible for update information to be written by said data processing apparatus; updating said update information by said controller at the time of writing or erasing of data to said nonvolatile recording area; and determining whether or not data of said nonvolatile recording area in said

recording medium has been updated after said data was recorded by determining whether or not update information of a field in the recording area read from said recording medium corresponds to update information in said update notification part read from said recording medium".

These claimed features are not shown or suggested by any combination of Komori et al., Yoshino et al., Shibazaki et al. or any combination of these references. Applicants comments on the cited prior art references in the previous responses are incorporated herein by reference.

Komori et al. relate to an electronic control unit having a built-in flash memory. The flash memory is fixed in the control unit. The count information for the rewrite count of the flash memory is stored at consecutive addresses of the flash memory. Though the data processing unit and the recording medium of the present invention may correspond to the electric control unit in Komori et al., the electric control unit does not correspond to the recording medium of the present invention.

Count information in Komori et al. does not correspond to the update information in the claims of the present invention. Since claim 1 is directed to the third embodiment, the update information is not always updated at the time of data writing or erasing as discussed in paragraph [0095].

For these reasons, it is believed that Komori et al. do not show or suggest the presently claimed features of the present invention. Applicants also submit that Yoshino et al. and Shibazaki et al. do not make up for the deficiencies in Komori et al.

Yoshino et al. disclose a data processing device and storage device in which content is protected under high security management, using a block permission table (BPT). The BPT shows accessible/inaccessible blocks of the memory in the storage device.

For these reasons, it is believed that Yoshino et al. do not show or suggest the presently claimed features of the present invention. Applicants also submit that Shibazaki et al. do not make up for the deficiencies in Komori et al. and Yoshino et al.

Shibazaki et al. disclose a memory device to which a host device accesses. The memory device produces a memory management table (MMT) at an initializing process soon after the memory is inserted to the host device so that the host device can access it as quickly as possible. The MMT stores the relationship in physical blocks and logical blocks as shown in paragraph [0004].

These references also have different objects and structures, and do not suggest any motive or idea to combine these references so as to render the claimed invention obvious.

The electronic control unit of Komori et al. has a built-in flash memory, while Yoshino et al. and Shibazaki et al. direct a system including host and recording medium.

Yoshino et al. show memory access according to permission information set in the BPT as discussed in paragraph [0265]. Shibazaki et al. show a memory access based on MMT. Updated information has nothing to do with BPT or MMT in these references.

Further, in claims 11, 12 and 13, the update information field in the index file 300 in embodiment 3 might be interpreted to correspond to count information in Komori et al. However, Komori et al. do not have any storage for the update information.

It is therefore respectfully submitted that Komori et al., Yoshino et al. and Shibazaki et al., individually or in any combination, do not teach, disclose or suggest the presently claimed invention and it would not have been obvious to one of ordinary skill in the art to combine these references to render the present claims obvious. None of these references show or suggest the update information aspects of the claimed invention.

In view of foregoing claim amendments and remarks, it is respectfully submitted that the application is now in condition for allowance and an action to this effect is respectfully requested.

Application No.: 10/576,422
Response under 37 CFR 1.116
Reply to Office Action dated July 16, 2010
January 18, 2011

    If there are any questions or concerns regarding the
amendments or these remarks, the Examiner is requested to
telephone the undersigned at the telephone number listed below.

                    Respectfully submitted,

Date: January 18, 2011

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